

DOCKET NO. 3:99-CR-66-1-FDW

Defendant.

3. The Defendant's disciplinary record while in prison reflects that he twice used or possessed a controlled substance and engaged in other serious misbehavior. This demonstrates a continued

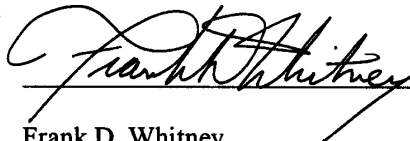
refusal to abide by the law and shows that he has maintained ties to underground suppliers of drugs, in spite of his completion of the drug program recommended by this Court.

4. Upon consideration of the sentencing factors set forth in 18 U.S.C. § 3553(a), the possible threat to public safety posed by the early release of a person with this defendant's criminal predispositions, and this defendant's post-sentencing conduct, the court finds that:

- a. The original sentence of **135 months** is adequate, but no greater than necessary, to accomplish the objectives of sentencing, while a reduction would frustrate those objectives;¹ and
- b. This sentence is within the amended guideline range.

An appropriate Order shall issue separately.

Signed: December 8, 2008


Frank D. Whitney
United States District Judge



¹The Court notes that it is not required under Fourth Circuit case law to undertake an exhaustive analysis of all of the § 3553(a) factors in this Order. See United States v. Legree, 205 F.3d 724, 728-29 (4th Cir. 2000).